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Attorneys for Defendant, Swift Transportation Co. of Arizona, LLC

Our File No. 734.21886

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**Pablo Otero,**

**Plaintiff,**

**vs.**

**George W. Hubbert Jr., Swift  
Transportation Co. of Arizona, Nigelco D.  
Mahone, Wymeka N. Mahone, Mahone  
Transports, JOHN DOES 1-10 (being  
fictitious persons whose identities are  
currently unknown) and ABC CO. 1-10  
(being fictitious business entities whose  
identities are currently unknown),**

**Defendants.**

**CIVIL ACTION NO.:**

**NOTICE OF REMOVAL TO THE  
UNITED STATES DISTRICT COURT**

**TO:** Luis Martinez, Esq.  
La Barbiera and Martinez  
9252 Kennedy Boulevard  
North Bergen, New Jersey 07047  
Attorneys for Plaintiff, Pablo Otero

**PLEASE TAKE NOTICE** that pursuant to 28 U.S.C. §§ 1332(a)(1), 1441(a)-(c), and 1446, Defendant Swift Transportation Co. of Arizona, LLC, by its attorney, hereby removes this action from the Superior Court of New Jersey, Middlesex County, Law Division to the United States District Court for the District of New Jersey. In support of this Notice of Removal, defendant, states as follows:

1. Plaintiff, Pablo Otero, originally commenced this action by filing a Complaint against the defendants in the Superior Court of New Jersey, Law Division, Middlesex County, New Jersey, where it is presently captioned as Pablo Otero v. George W. Hubbert J., Swift Transportation Co., of Arizona, Nigelco D. Mahone, Wymeka N. Mahone, Mahone Transports, JOHN DOES 1-10, ABC CO. 1-10, bearing Docket No. MID-L-7104-18. No further proceedings before the state court have occurred. See Ex. A attached hereto.

2. The plaintiff's residence is in New Jersey.

3. Defendant Swift Transportation Co. of Arizona, LLC is a Delaware entity and has its principle place of business at 2200 South 75<sup>th</sup> Avenue, Phoenix, AZ.

4. This Defendant was served on or about November 7, 2018 and as such the notice of removal is timely filed.

5. The amount in controversy is believed to be greater than \$75,000.00. In support of that belief, it is alleged that the plaintiff suffered severe and permanent injuries when he was involved in an automobile accident. The plaintiff alleges negligence on the part of the defendants and will claim that he incurred medical bills and expenses as a result of the accident.

6. The Court has subject matter jurisdiction over this matter pursuant to 28 U.S.C. § 1332(a)(1).

7. This Notice of Removal is timely, having filed within thirty (30) days of the date on which defendant was served with plaintiff's Complaint. See 28 U.S.C. §1446.

8. A copy of this notice is being served upon the Clerk of the Superior Court of New Jersey, Middlesex County, Law Division.

9. Written notice of this Notice of Removal of this action is being caused to be served on the plaintiff.

WHEREFORE, Defendant Swift Transportation Co. of Arizona, LLC gives notice that this action is removed from the Superior Court of New Jersey, Middlesex County, Law Division, to the United States District Court for the District of New Jersey.

BRAFF, HARRIS, SUKONECK & MALOOF  
Attorneys for Defendant, Swift Transportation Co. of  
Arizona, LLC

*s/ Brian C. Harris*

By: \_\_\_\_\_  
BRIAN C. HARRIS  
(NJ Attorney I.D. No. 232981968)

Dated: December 6, 2018